

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GERALD LEROY WERTH,

Petitioner,

Case No. 09-11472

HON. JOHN CORBETT O'MEARA

v.

CINDI S. CURTIN,

Respondent,

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ORDER ADOPTING REPORT AND RECOMMENDATION

The Court having reviewed the report and recommendation filed June 8, 2010 by Magistrate Judge Paul J. Komives, as well as any objections thereto filed by the parties, and being fully advised in the premises;

IT IS HEREBY ORDERED that the report and recommendation is accepted and adopted as the findings and conclusions of this Court.

IT IS FURTHER ORDERED that petitioner's application for writ of habeas corpus is denied; a certificate of appealability is granted with respect to petitioner's self-representation claim, and denied with respect to petitioner's ineffective assistance of counsel claim.

s/John Corbett O'Meara

United States District Judge

Date: August 27, 2010

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, August 27, 2010, using the ECF system and/or ordinary mail.

s/William Barkholz

Case Manager